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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,983	02/18/2004	Jon Matousek	MSFT122014	5394

26389 7590 04/19/2007  
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SEATTLE, WA 98101-2347

EXAMINER
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NGUYEN, CINDY

ART UNIT	PAPER NUMBER
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2161

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/19/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

10/781,983

Applicant(s)

MATOUSEK, JON

Examiner

Cindy Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This is in response to amendment filed 01/29/07.

#### ***Response to Arguments***

Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claims 7, 8, 9, 10, 11 and 12, the terms "if a filter is required to satisfy said request..." renders the claim indefinite because it is unclear whether the limitations following the terms are part of the claimed invention. See MPEP § 2173.05(d). what is the result if a filter is not satisfy said requested.

#### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1 and 13 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. This claimed subject matter lacks a practical application

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of a judicial exception (law of nature, abstract idea, naturally occurring article/phenomenon) since it fails to produce a useful, concrete and tangible result. Specifically, the claimed subject matter does not produce:

A tangible result because the claimed subject matter fail to produce a result that is limited to having a real world value rather than a result that may be interpreted to be abstract in nature as, for example, a thought, a computation or manipulated data. More specifically, the claimed subject matter provides for filtering recurrence events. This produced result remains in the abstract and, thus, fails to achieve the required status of having real world value. What is claimed for filtering recurrence events comprising in response to receiving a request to display a recurrence event determining if a filter is required to satisfy said request..., what happen if the result if a filter is not satisfy said requested, therefore no tangible result.

The dependent claims 2-12 and 14-24, being further limiting to the independent claims 1 and 13 definite and fully enable by the specification are also rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10, 13-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Winner (US 6272074).

Regarding claims 1 and 13, Winner discloses: A method of filtering recurrence events (i.e., repetitive calendar event are stored as single entries in the present invention suing an expression language, col. 3, lines 23-36, Winner) and a computer-readable medium bearing computer-executable instructions which, when executed, carry out a method of filtering recurrence events comprising:

in response to receiving a request to display a recurrence event (i.e., an event request is submitted to the database so that the scheduler process can complete the request, col. 4, lines 33-44), determining if a filter is required to satisfy said request (i.e., the scheduler process obtains the data, compares the calendar data, and sets an event in the calendars of the attendees when an appropriate event period is determine, col. 4, lines 40-44), wherein said recurrence event is represented in a database in a single database record (i.e., an event is stored as a collection of information in a storage means, an event is a record or table of fields, col. 4, lines 45-54, Winner);

if a filter is required to satisfy said request, creating a data set related to said recurrence event consisting of filtered items and exceptions ( i.e., generate recurring events, the begin date filed 410J is a date that this event occurs, ... 410K is a number providing the minutes past midnight when an event begins..., col. 5, liens 3-15, Winner);  
and

structuring said data set of filtered items and exceptions for display on a computing device, wherein structuring said data set includes expanding said recurrence event from the single database record (i.e., a recurring event can be specified so that exceptions to the occurrences of the event are stored in the recurring event expression, col. 10, lines 1-40, Winner ).

Regarding claims 2 and 14, all the limitations of these claims have been noted in the rejection of claims 1 and 13 above, respectively. In addition, Winner discloses: wherein the request to display at least one recurrence event is generated by a client-computing device (i.e., the scheduler process to compute the days on which an event occurs, col. 5, lines 30-40, Winner).

Regarding claims 3 and 15, all the limitations of these claims have been noted in the rejection of claims 1 and 13 above, respectively. In addition, Winner discloses: wherein the request to display at least one recurrence event is received by a server-computing device (col. 4, lines 33-44, Winner).

Regarding claims 4 and 16, all the limitations of these claims have been noted in the rejection of claims 3 and 15 above, respectively. In addition, Winner discloses: wherein server-computing device includes the database that supports a Structure Query Language (col. 4, lines 18 -20, Winner).

Regarding claims 5 and 17, all the limitations of these claims have been noted in the rejection of claims 1 and 13 above, respectively. Winner discloses: disclose: the steps wherein creating a data set consisting of filtered items and exceptions comprises:

(a) obtaining a data set of exceptions (i.e., recurring event expression including an anti-event, col. 10, lines 1-65, Winner);

(b) obtaining a data set of filtered items, the data set of filtered items including recurrence events and exceptions (i.e., recurring event expression including an anti-event, col. 10, lines 1-65, Winner);

(c) identifying exceptions that are not included in the exceptions included in the data set of filtered items by applying a set operation on the data set of exceptions and the data set of filtered items (i.e., the working day recurrence expressions contain the recurrence expression, but the user's non-working days follow the recurrence expression. This is indicated by a double pound sign (##). , in the table 3, the user's non-working days are Sunday and Saturday indicated by values of 1 and 7 enclosed in parentheses for the day field of the anti-event, col. 10, lines 15-52, Winner); and

(d) adding the exceptions that are not included in the data set of filtered items to the data set of filtered items (col. 10, lines 61-65, Winner).

Regarding claims 6 and 18, all the limitations of these claims have been noted in the rejection of claims 5 and 17 above, respectively. In addition, Winner discloses: wherein obtaining a data set of exceptions comprises: generating a database query that requests exceptions (i.e., recurring event expression including an anti-event, col. 10, lines 1-65, Winner); b) applying said database to a database query (requested the sum schedule (col. 10, lines 66 to col. 11, lines 15, Winner); and in response to said database query, receiving said data set of exceptions (col. 10, lines 66 to col. 11, lines 15, Winner).

Regarding claims 7 and 19, all the limitations of this claim have been noted in the rejection of claims 5 and 17 above, respectively. In addition, Winner discloses: wherein obtaining a data set of filtered items comprises: generating a database query that requests recurrence events and exceptions (i.e., recurring event expression including an anti-event, col. 10, lines 1-65, Winner); applying said database query to a database query exceptions (col. 10, lines 66 to col. 11, lines 15, Winner); and in response to said database query, receiving said data set of recurrence events and exceptions (col. 10, lines 66 to col. 11, lines 15, Winner).

Regarding claims 8 and 20, all the limitations of these claims have been noted in the rejection of claims 4 and 17 above, respectively. In addition, Winner discloses: wherein identifying exceptions that are not included in the exceptions included in the data set of filtered items comprises performing a computer-implemented set difference operation between: (a) the exceptions; and (b) the data set of filtered items (col. 10, lines 58 to col. 11, lines 18, Winner).



Regarding claims 9 and 21, all the limitations of these claims have been noted in the rejection of claims 4 and 17 above, respectively. In addition, Winner discloses: wherein adding the subset of exceptions that are not included in the data set of filtered items to the data set of filtered items comprises performing a computer-implemented set union operation between: (a) the exceptions; and (b) the data set of filtered items col. 10, lines 58 to col. 11, lines 18, Winner).

Regarding claim 20, all the limitations of this claim have been noted in the rejection of claim 17 above, respectively. In addition, Winner discloses: wherein identifying exceptions that are not included in the exceptions included in the data set of filtered items comprises performing a computer-implemented set difference operation between: the exceptions; and the data set of filtered items (table 1 and col. 6, 1, lines 18 to col. 7, lines 17, Winner).

Regarding claim 21, all the limitations of this claim have been noted in the rejection of claim 17 above, respectively. In addition, Winner discloses: wherein adding the subset of exceptions that are not included in the data set of filtered items to the data set of filtered items comprises performing a computer-implemented set union operation between: (a) the exceptions; and (b) the data set of filtered items (table 1 and col. 6, 1, lines 18 to col. 7, lines 17, Winner).

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Regarding claims 10 and 22, all the limitations of these claims have been noted in the rejection of claims 1 and 13 above, respectively. In addition, Winner discloses: further comprising rendering said data set of filtered items structured for display on a computer device on the display of a computing device (col. 4, lines 23-31 and col. 11, lines 20-38. Winner).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11, 12, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Winner et al. (US 6272074) (hereafter Winner) in view of Barnett et al. (US 6369840) (hereafter Barnett).

Regarding claims 11 and 23, all the limitations of these claims have been noted in the rejection of claims 10 and 22 above, respectively. However, Winner didn't disclose: discloses: wherein said rendering comprises generating a Hypertext Markup Language document suitable for display by a Web browser program. On the other hand, Barnett discloses: wherein said rendering comprises generating a Hypertext Markup Language document suitable for display by a Web browser program (col. 18, lines 23-26, Barnett). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include generating a Hypertext Markup Language document suitable for

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display by a Web browser program in the system of Winner as taught by Barnett. The motivation being to enable the system to generate an html file which can be passed to the user and read by a browser.

Regarding claims 12 and 24, all the limitations of these claims have been noted in the rejection of claims 11 and 23 above, respectively. In addition, WINNER /Barnett discloses: wherein said Hypertext Markup Language document displays a calendar that contains at least one item (col. 18, lines 53-67, Barnett). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include generating a Hypertext Markup Language document suitable for display by a Web browser program in the system of Winner as taught by Barnett. The motivation being to enable the system to generate an html file which can be passed to the user and read by a browser.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Contact Information***

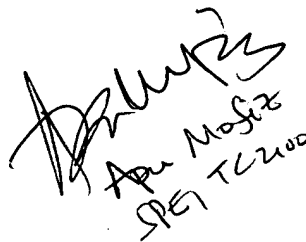
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Cindy Nguyen



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